

Andrea Delgado, "The Sanctuary Movement: Historical & Contemporary Uses", AmeriQuests 2017

The notion of 'sanctuary' has become increasingly relevant to discourses about immigration and protection in contemporary US legal and political contexts. Movements towards sanctuary campuses, sanctuary cities, and even sanctuary in transit have erupted in opposition to President Trump's harsh rhetoric and policy towards immigrants within the US. However, the term lacks a single clear definition, and thus is open to wide interpretation, reflected in a diversity of pronouncements by scholars, lawyers, policy makers, and laymen. The juxtaposition of current meanings and the historical etymological definitions of 'sanctuary' allow us to understand the origins and trajectory of the term and what it signified for policy and practice. After reviewing the term's historical denotations in ecclesiastical and non-ecclesiastical contexts, this paper will critically contextualize and review the 1980s Sanctuary Movement to juxtapose it with current events.

Before entering into discussion of the purpose of these safe spaces, it is important to understand the historical and etymological background of the term 'sanctuary' and what it signified in previous centuries. Some of the earliest uses of the term 'sanctuary' date back to the 14th century when it was used in religious contexts. Originally, 'sanctuary' signified a "building set apart for holy worship;" the term comes from the Old French *saintuaire* and the Late Latin *sanctuarium* meaning "sacred relic, holy thing, a sacred place, shrine" (*Online Etymology Dictionary*). The sanctuary tradition even goes back to the Hebrew Bible. The Book of Numbers mentions six sanctuary cities in Israel where those who had accidentally killed someone else could take refuge from anyone seeking vengeance (Evans and Shimron). Thus the term originally operated specifically within ecclesiastical spheres and clearly referenced the tangible spaces of church buildings. Under medieval Church law, some churches could protect debtors or fugitives and make them immune to being arrested. Four centuries later in the US, the 1693 Royal Decree of Religious Sanctuary produced in Spanish Florida granted liberty to runaway slaves seeking protection from the Catholic church. While there may not have been much debate over the physical delineations of sanctuary spaces in these ancient time periods, the notion of a sanctuary was still controversial. Early scholars criticized the medieval Church of smuggling pagan sanctuary traditions into Christian law, arguing that the policy encouraged more crime than it helped solve; as a result, when the Church sanctuary was abolished in the late 16th century it was heralded as a hallmark of progress (Shoemaker). Thus the origin of the sanctuary movement lies in ecclesiastical affirmations of refuge for those seeking safety after committing crimes.

After the initial ecclesiastical stage in the term's definition, 'sanctuary' then expanded to apply to non-ecclesiastical contexts. After the 1560s, the definition referred to a general "place of refuge or protection" that could include physical spaces beyond a church's walls (*Online Etymology Dictionary*). Towards the end of the 19th century, 'sanctuary' began to be used for spaces that protected plants and animals as well as people. Today, the definition of 'sanctuary' continues to reflect the historical trajectory of meanings. The Oxford English Dictionary provides a tripartite definition: first, "refuge or safety from pursuit, persecution, or other danger"; second, "a nature reserve"; and third, "a holy place, a temple" (*Oxford Dictionaries*). If these three elements encapsulate the accepted definition of the term today, then, in distinct contexts, a 'sanctuary' can offer protection to both human and other natural forms of life, in both ecclesiastical and non-ecclesiastical contexts. The threats against which a 'sanctuary' offers protection thus are wide-ranging: hostility, maltreatment, natural disasters, species extinction, discrimination, harassment, and hunting can all reasonably be covered by such a definition. To this day, the term 'sanctuary' still holds vestiges of its initial ecclesiastical meaning, most notably the root *sanct* that refers to something sacred or holy. Even the Sanctuary Movement

website, SanctuaryNotDeportation.Org, highlights the participation of immigrants and "over 700 faith communities" in protecting immigrants from deportation ("Sanctuary Movement"). However, the most notable difference between the ancient and more contemporary uses of the 'sanctuary' rest in the populations and purposes they serve. Initially a religiously sanctioned safe space for those who had committed crimes, the 'sanctuary' has evolved to serve immigrant populations facing deportation.

The most prominent example of the use and implementation of the newer definition of a 'sanctuary' space is the 1980s movement in the US. The Sanctuary Movement in the 1980s was a social justice movement that was transnational in nature; it utilized the space of the Church to protect Central American refugees fleeing conflict and strife in their home countries (Perla Jr and Coutin). The Movement stemmed from and served as a response to the US foreign policy at the time, as it was strongly anti-imperialist and opposed to the US's involvement in fighting communist regimes abroad. During the Cold War, the US intervened greatly in the political conflicts ensuing in Central American nations. In order to fight Marxist and leftist popular groups, the US intervened on the side of repressive governments in El Salvador and Guatemala. As Schlesinger and Kinzer detail in *Bitter Fruit* (2005), the US's involvement in staging the coup in Guatemala represented extensive manipulation and coordination between government, journalists, and CIA actors in attempts to secure business interests with the United Fruit Company (Schlesinger and Kinzer). In the name of fighting communism, the US had contributed to the emergence and proliferation of human rights violations and widespread repression in Central America. As a result of the ensuing civil wars in El Salvador, Guatemala, and Nicaragua, migration from these countries to the US increased dramatically as people fled economic devastation, violence, and repression. Between 1981 and 1990, an estimated 1 million people fled from El Salvador and Guatemala through Mexico to enter into the US clandestinely (Gzesh). Thus, the Sanctuary Movement emerged for two purposes: first, to make a political stance against the US foreign policy; and second, to protect the Central American migrants and refugees fleeing the conflict and danger of the repressive governments abroad that the US had supported. In this way, the Movement in the 1980s can be characterized as both a political and humanitarian effort. It simultaneously protested US policy and suggested a moral obligation the US had to care for and protect those harmed by its actions.

The current movements relating to the sanctuary also emerge from political discourses as well as ethical and legal ones. President Trump's harsh rhetoric against undocumented immigrants and Muslims and his promises of mass deportation have sparked a resurgence in the naming of sanctuary spaces. Immigration raids are continuing as they did under previous administrations, except the notable differences include the President in charge and the use of collateral arrests. Sanctuary movements in 2017 now take the term and apply it to spaces beyond the church, including university campuses and cities. In November 2016, protests erupted in dozens of universities and municipalities across the US, leading numerous universities and cities to assume the title. Other communal or public spaces are also adopting sanctuary policies; for example, the Bay Area Rapid Transit (BART) system in San Francisco, CA plans on instructing BART police to "limit collaboration with Immigration and Customs Enforcement and other federal agencies" (Rodriguez n.p.). Other spaces such as schools and hospitals are considered by US Customs and Border Protection as "sensitive locations," which means that under most circumstances federal agents avoid arresting, searching, or interrogating people there (Evans and Shimron). In all of these cases, the underlying intention behind declaring a sanctuary campus, city, or space revolves around offering protection to undocumented migrants who are facing

deportation. However, the specific legal definitions of a sanctuary space are less well-defined and less consistent across those who employ its title. For example, the means by which a city or campus will protect against deportation can vary along a spectrum of intensity of engagement because the label 'sanctuary' can carry mere symbolic weight, or it can signify a refusal to comply voluntarily with ICE agents. In most instances, in the presence of a warrant or court order any sanctuary space has no legal ground for further protection from compliance. Furthermore, adopting the title as a 'sanctuary city' can jeopardize the influx of federal funding. A Tennessee lawmaker, for example, has introduced a bill that will ban sanctuary cities in the state and threatens to withhold federal funding in the event of non-compliance (Sawyer). Thus cities or campuses that label themselves as 'sanctuaries' recognize the risks of alienation and defunding that come with operating within a government that does not wish to protect immigrants or those at risk.

Juxtaposing the 1980s Sanctuary Movement with the current events relating to sanctuary campuses and cities highlights various similarities and major distinctions. First, both movements initially emerged in response to recent US policies and government actions. The 1980 Refugee Act aligned US law with international law stipulated in the 1951 Refugee Convention and the 1967 Protocol in order to expand the eligibility for political asylum in the US (Gzesh n.p.). This was the legal context in which members of the 1980s Sanctuary Movement demanded a state obligation to protect migrants and refugees from Central America. In the aftermath of the 2016 election, university campuses and cities across the US demanded protection of immigrants and Muslims from the promised harsh policies of the newly-elected President. Second, both Movements were defined along ideological and political lines, in opposition to contemporary political governance by the US President in the White House. Additionally, the Movements both seek to protect historically marginalized groups: refugees, immigrants, people of color, and Muslims are the main members in need of protection from ICE raids and possible deportation.

On the other hand, the physical spaces delineated as 'sanctuaries' expanded greatly in the three decades between the Movements. In the 1980s, sanctuaries were still mainly churches, while now in 2017 any conception of a space can be declared a sanctuary if willing. Over time, the use of the term 'sanctuary' has expanded greatly in scope and physical delineation -- from its initial uses in ecclesiastical contexts for the medieval Church's protection of criminals, to churches protecting immigrants from deportation, and finally to cities, campuses, and other greater public spaces offering protection of immigrants, Muslims, and any persecuted group. It is always important, however, for entities to consider the possible negative outcomes of assuming the label of a 'sanctuary' space. In order to both protect undocumented immigrants and Muslims from the aggressive administration and avoid alienating conservative lawmakers and policymakers in the government, campuses, cities, and other spaces can assume synonymous titles such as 'sacred' spaces or 'safe havens.' These titles afford the same symbolic and moral effect of standing in solidarity with marginalized communities while simultaneously avoiding conservative backlash against the sanctuary movement. While symbolically it is quite powerful to see widespread support for those under attack, the questions of how much legal protection is afforded by 'sanctuary' spaces remain to be answered. Nevertheless, when placed within historical, etymological, and political contexts, the 'sanctuary' represents a longstanding and varying action aimed at helping the most vulnerable in a community.

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